

RAYMOND C. CABALLERO  
MAYOR



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
APRIL 2, 2002  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: Jan Sumrall. Meeting was called to order and the invocation was given by Reverend Frank Giusta, Santa Lucia Parish, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Presentations:

1. Former POW Recognition Day - April 9
2. Days of Remembrance - April 15 – 22
3. National Occupational Therapy Month – April
4. National Community College Month – April
5. Soccer Month – April
6. Fair Housing Month – April
7. Tire Amnesty Day - April 6

.....  
Motion made by Representative Medina, seconded by Representative Escobar, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).  
.....

\*Motion made, seconded and unanimously carried to postpone one week the Minutes for Regular City Council Meetings of October 3, 2001, November 20, 2002, and December 11, 2001.  
.....

\*Motion made, seconded and unanimously carried to excuse Representative Sumrall from the Regular Council Meeting of April 2, 2002.  
.....

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services between the City of El Paso, Texas, and JDH/El Paso Valuation Consultants, together with related documents, for the following property: Lot 9, Block 5, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, municipally known and numbered as 1633 Airway Blvd.  
.....

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 3rd day of January, 2002, after due notice and hearing, ordered OLLIS CRAWFORD, record Owner of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Tract 2-M-2-A, block 6, Ascarate Grant, an Addition to the City of El Paso, El Paso County, Texas, according to the resurvey of said grant made by El Paso County, Texas for tax purposes, more particularly described as 8035 Crawford Court, El Paso, Texas,

to be \$6,160.98, performed by the Street Department of the City of El Paso, \$961.10 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$7,122.08. The City Council finds that the work was completed on the 12th day of February, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of SEVEN THOUSAND ONE HUNDRED TWENTY-TWO AND 08/XX DOLLARS (\$7,122.08) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

.....  
**\*RESOLUTION**

**WHEREAS**, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of September, 2001, after due notice and hearing, ordered HERMINIO ARTEAGA and ROSE MARIE B. ARTEAGA, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such

ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 28 and 29, Block 38, Highland Park Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 54, Plat Records of El Paso County, Texas, more particularly described as 2506 San Jose Avenue, El Paso, Texas,

to be \$1,273.85, performed by the Street Department of the City of El Paso, \$466.05 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$1,739.90. The City Council finds that the work was completed on the 28th day of January, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of ONE THOUSAND SEVEN HUNDRED THIRTY-NINE AND 90/XX DOLLARS (\$1,739.90) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal descriptions on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
12141 Noel Espinoza Circle	\$51.67	\$19.81	\$71.48

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal descriptions on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
12135 Noel Espinoza Circle	\$51.67	\$19.81	\$71.48

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal descriptions on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
8000 Block Glendale	\$289.94	\$218.40	\$508.34

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Users Agreement by and between the City of El Paso and the Texas Department of Public Safety (DPS) to allow El Paso Police Officers to access the DPS Sex Offender Registration Database on a secure web site; and to authorize the Chief of Police to sign and submit to the DPS any assurances or information DPS may require such as the identification of the police officers who will be granted permission to access the web site for official police purposes There is no cost to the City.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

**A RESOLUTION APPOINTING COUNCIL REPRESENTATIVE ROSE RODRIGUEZ A MEMBER OF THE TRANSPORTATION POLICY BOARD FROM THE CITY OF EL PASO, TEXAS, FOR THE METROPOLITAN PLANNING ORGANIZATION, FOR THE EL PASO URBAN TRANSPORTATION STUDY AREA.**

**WHEREAS**, the Bylaws of the El Paso Metropolitan Planning Organization, Transportation Planning Board (TPB) require that the governing body of the City appoint persons to said TPB; NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

At the request of the Mayor, Representative Rose Rodriguez is hereby appointed to the Transportation Policy Board for the Metropolitan Planning Organization for the El Paso Urban Transportation Study area.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso and the County of El Paso for the operation of the Greater El Paso Civic, Convention and Tourist Center with revisions to Paragraphs 4.1 and 6 contained in the agreement proposed by the County, to revise the schedule of

payments under the Agreement, to revise the indemnification clause, and to eliminate the insurance requirements, as set forth specifically on the Attachment to this Resolution. (Attachment on file in City Clerk's office)

Representative Medina asked for clarification on this item.  
Mr. Charlie McNabb, Chief Administrative Officer, explained that the County signed the agreement and sent it to us. He stated there were only three provisions that were changed and we will be sending it back to them for approval at the Commissioners Court meeting.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above resolution. Representative Escobar was not present for the vote.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit to the U.S. Department of Housing and Urban Development (HUD) an amendment to the City's Empowerment Zone (EZ) Strategic Plan which revises the EZ Developable Sites in accordance with the attached maps and narrative. The amendment deletes the Northwest Developable Site, adjusts the acreage of the East Side Developable Site, and adds a new Central Developable Site immediately adjacent to the Empowerment Zone and in the Corazon de El Paso.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and execute all necessary documents for the City of El Paso to become a participating member of the Texas Short Term Asset Reserve Program (TexSTAR).

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER  
DEPARTMENT ID 51510074, ACCOUNT 502214**

- 1. CONTRACTOR: Hector A. Burciaga III, Scorekeeper Basketball
- DATES: April 1, 2002, thru August 30, 2002
- RATE PER GM: \$7.00
- MAXIMUM AMT: \$840.00
- CONTRACT: 2001/2002/153

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the CITY OF EL PASO and the following individuals for the El Paso Public Library.

Jesus Navarro  
Ellen Treadway, Ph.D.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the CITY OF EL PASO and EVA T. SALINAS for the El Paso Zoo at the rate of \$11.72 per hour, not to exceed 40 hours per week, and to include health insurance, two (2) days personal leave, ten (10) days vacation leave, and six (6) days sick leave in accordance with City of El Paso Civil Service Rules and Procedures. The contract term is from April 3, 2002 through April 2, 2003.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Second Amendment to Agreement for Engineering Services between the **City of El Paso** and **Moreno Cardenas Inc.**, for a project known as "**Borderland Area Street and Drainage Improvements Phase I**" for an amount not to exceed THREE THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$3,250.00).

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with SOUTHWEST LAND DEVELOPMENT SERVICES, INC., to lease two (2) 32 Gallon Containers for a service fee of \$5.00 each month for its recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Agreement with the GONZALEZ CHIROPRACTIC, to lease three (3) additional 32 Gallon Containers and three (3) additional 8 Gallon Baskets, for a total of six (6) 32 Gallon Containers and six (6) 8 Gallon Baskets, in exchange for their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....  
\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 7<sup>th</sup> day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 8032 Glendale Avenue, in El Paso, Texas, which property is more particularly described as:

Tract: 8, Block 3, Mesa Vista No. 2, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 3, Page 51, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Armando Ortega, 8449 Lasso Circle, El Paso, Texas 79907-4420, and also 8032 Glendale Avenue, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 7<sup>th</sup> day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7667 Elliott Drive, in El Paso, Texas, which property is more particularly described as:

Lot: 8, Block 8, Rosedale Manor Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 13, Page 23, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Luis Fernandez, 7667 Elliott Drive, El Paso, Texas 79915, and Mark T. Davis, Substitute Trustee, 8517 Lockheed Drive, El Paso, Texas 79925-1218, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....



\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 7<sup>th</sup> day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 8756 Coloma Circle, in El Paso, Texas, which property is more particularly described as:

Lot: 9, Cates Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 6, Page 27, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Rosemary L. Graf, 2309 Wheeling Avenue, El Paso, Texas 79930-1513, and also 8756 Coloma Circle, El Paso, Texas 79907, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 7<sup>th</sup> day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 349 Maricela Drive, in El Paso, Texas, which property is more particularly described as:

Lot: 13, less the South 2 feet thereof, Block 26, Thomas Manor Unit Ten, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 31, Page 18, Plat Records of E Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Elvira Dora Valenzuela, 3142 East Second Street, Los Angeles, California 90063-3008, and also 349 Maricela Drive, El Paso, Texas 79915-4513, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing, on the issuance of an Emergency Purchase Order (s) to HHS Supply Service Center in the amount of \$24,472.00 estimated, for emergency purchase of pharmaceuticals in response to the City's terrorism preparedness needs. (2002-091)

The procurement is necessary because of unforeseen emergency to protect the public health and safety of the City's residents are exempt from the competitive bidding requirements of Chapter 252 of the Local Government Code ("The Bid Statute").

Award amount: \$24,472.00 (estimated)  
Funds available: 503112-07156 – Grant 229903 Federal Terrorism  
Department: Fire

.....  
\*Motion made, seconded and unanimously carried to approve the request that the Director of Purchasing be authorized to issue Purchase Order(s) to A & I Integrated Systems, as they are the sole authorized HTC, Hydraulic Technology Center, along with pneumatics, cylinders and filters for Parker Hydraulics, in the El Paso, Texas area. (2002-152)

Department: Equipment Maintenance  
Funds available: 37370510-503121-503125  
Funding source: Equipment Maintenance Internal Service Fund  
Total amount: \$10,000.00

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 1999-99-121 between the City of El Paso and R.T.C., Inc. for the 450 MHZ Conventional Repeater System Maintenance Service, for Fixed and Subscriber Equipment, for various City departments, for one (1) additional year starting March 31, 2002 and ending March 30, 2003, under the same unit price, terms and conditions. An option exists for two (2) additional years (one year at a time) with the City allowing a price increase no greater than the CPI Index for that year.

Department: Communications  
Funds available: Various  
Funding source: Various  
Amount: \$64,000.00 (annual estimate)

\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Pueblo Montana Unit One Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Alline Place - from Turner Road to Healy Drive  
Healy Drive - from Turner Road to Alline Place  
Trina Place - from Turnery Road to Healy Drive  
Turner Road - from the east property line of Lot 1, Block 1 to the west property line of Lot 1, Block 4

Drainage Improvements:

Ponding Area - at Lot 5, Block 4; with a 1.29 ac. area and a 7.47 ac-ft. capacity; 1-Thrust Block Structure; 60.0 ft. of 30.0" R.C.P.; 1096.0 ft. of 6.0 ft. high Rockwall Fence; and 18.0 ft. of Double Swing Gate  
20.0 ft. Drainage R.O.W. - between Lots 8 and 9, Block1; 200.0 ft. of 6.0 ft. high Rockwall Fence; and 2-6.0 ft. of Wrought Iron Gates  
Healy Drive - 2-2 Grate Drop Inlets and 2-1 Grate Drop Inlets Type 1; 18.0 ft. of 24.0" R.C.P.; 36.0 ft. of 18.0" R.C.P.; 942.0 ft. of 30.0" R.C.P. and 3-Juncion Boxes/72.0" Manholes

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Sun Ridge Unit 9 Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Sun Haven Drive - from the west property line of Lot 1, Block 36 to Crystal Ridge Drive  
Sun Mist Court - from Sun Quest Street to Crystal Ridge Drive  
Sun Empress Drive - from Crystal Ridge Drive to the end of the cul-de-sac in front of Lot 45, Block 25  
Sun Spirit Drive - from Crystal Ridge Drive to the end of the cul-de-sac in front of Lot 23, Block 25  
Crystal Ridge Drive - from the north property line of Lot 6, Block 31 to the south property line of Lot 13, Block 29  
Sun Quest Street - from the north property line of Lot 1, Block 36 to the south property line of lot 12, Block 25

Drainage Improvements:

Ponding Area - at Lot 7, Block 31; with a 2.38 ac. area and a 27.0 ac-ft. capacity; 2-Thrust Block Structures; 68.39 ft. of 48.0" R.C.P.; 1-7 Grate Drop Inlet Type 1; 1-Junction Box/48.0" Manhole; 964.0 ft. of 6.0 ft. high Rockwall Fence; 350.0 ft. of 3.0 ft. high Rockwall Fence; 350.0 ft. of 3.0 ft. of Chain Link Fence; and 18.0 ft. of Double Swing Gate  
15 ft. Drainage Easement - at Tract 2, Sect. 4; Block 79, Tsp 3; 680.0 ft. of 36.0" R.C.P; 1-6 Grate Drop Inlet Type 1; 15.0 ft. of 48.0" R.C.P. and 2-Junction Boxes/48.0" Manhole

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Vista Del Sol Unit One Hundred Fifty Seven, Phase I Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Olga Mapula Drive - from Davie Johnson Drive to the north-westerly property line of Lot 21, Block 579

Drainage Improvements:

20 ft. P.S.B. and Drainage Easement - at Olga Mapula Drive within Lot 62, Block 581; 126.75' of 24.0" R.C.P.

15 ft. Drainage Easement - at Olga Mapula Drive within Lot 19, Block 579; 61.82' of 30.0" R.C.P.; and 1-Junction Box/72" Manhole

Olga Mapula Drive - 4-2 Grate Drop Inlets Type 1; 2-Junction Boxes; 323.11' of 30.0" R.C.P.; and 53.16' of 24.0" R.C.P.

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Vista Del Sol Unit One Hundred Fifty Seven, Phase II Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Ted Houghton Drive - from the south-westerly property line of Lot 60, Block 579 to Davie Johnson Drive

Olga Mapula Drive - from Ted Houghton Drive to the north-easterly property line of Lot 22, Block 579

Jan Herring Way - from Olga Mapula Drive to end of the cul-de-sac in front of Lot 20, Block 580

Lucy Acosta Way - from Ted Houghton Drive to Olga Mapula Drive

Diane Troyer Way - from Olga Mapula Drive to the end of the cul-de-sac in front of Lot 20, Block 581, including also the cul-de-sac in front of Lot 25, Block 581

Cora Viescas Lane - from Olga Mapula Drive to the end of the cul-de-sac in front of Lot 49, Block 581

Drainage Improvements:

20 ft. P.S.B. and Drainage Easement - (at Olga Mapula Drive within Lot 50, Block 579) - 1-6 Grate Drop Inlet Type 1; 135.00' of 24" R.C.P.; 2-Junction Boxes/72" Manholes; and 70.60' of 36" R.C.P.

.....  
\*Motion made, seconded and unanimously carried that the street improvements in the Vista Del Sol Unit One Hundred Fifty Seven, Phase II Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Ted Houghton Drive - from Davie Johnson Drive to the northerly property line of Lot 28, Block 582

Davie Johnson Drive - from Ted Houghton Drive to Bob Hope Drive

Cynthia Farah Place - from Davie Johnson Drive to the end of the cul-de-sac in front of Lot 26, Block 583

Lupe Rivera Drive - from the end of the cul-de-sac in front of Lot 29, Block 582 to the heel in front of Lot 11, Block 582 (Olga Mapula Drive)

Olga Mapula Drive - from the heel in front of Lot 10, Block 582 (Lupe Rivera Drive) to Davie Johnson Drive

Rosa Guerrero Place - from Lupe Rivera Drive to Davie Johnson Drive

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Vista Del Sol Unit One Hundred Fifty Nine Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

A.L. Gill Drive – from the heel in front of Lot 18, Block 584 (Romy Ledesma Drive) to the end of the cul-de-sac in front of Lot 30, Block 584

Romy Ledesma Drive – from the heel in front of Lot 17, Block 584 (A.L. Gill Dr.) to Davie Johnson Drive

Peggy Rosson Way – from Romy Ledesma Drive to the end of the cul-de-sac in front of Lot 3, Block 585

Rosa Guerrero Drive – from A.L. Gill Drive to Davie Johnson Drive

Drainage Improvements:

20 Ft. Drainage Easement – at A.L. Gill Drive within Lot 19, Block 584; 1-6 Grate Drop Inlet Type I; 113.0' of 24" R.C.P.

.....  
\*Motion made, seconded and unanimously carried that the street improvements in the Sky Island (Stanton Street Extension) Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Stanton Street – from Festival Drive to the end of the street limit construction at Station 0+ 00

.....  
\*Motion made, seconded and unanimously carried that the City of El Paso accept the tested and approved fire hydrants listed below, to provide adequate fire protection to existing and new areas:

**HYD# LOCATION**

A.	7763	Treasure Hill Place, 113' ± north of Regal Banner Lane.
B.	7764	Banner Crest Drive and Edgemere Blvd., SE corner.
C.	7765	Banner Crest Drive, 423' ± south of Regal Banner Lane.
D.	7801	Loma De Alma Drive, 409' south of Loma Casitas Road, west intersection
E.	7802	Loma De Alma Drive, 448' south of Loma Casitas Road, east intersection
F.	7803	Loma Casitas Road and Loma De Vida Lane, southwest corner
G.	7898	Joe Battle Blvd. and Bob Hope Drive, southwest corner
H.	7904	Fragrant Ash Place, 210' northeast of Betel Drive
I.	7938	Saint Dominic Drive and Saint Stephen Place, northeast corner
J.	8046	Tio Dink Circle and Anna Martha Way, northwest corner
K.	8047	Tio Dink Circle, 222' north of Sandra Way
L.	8048	Tio Dink Circle, 432' north of Escobar Drive
M.	8067	Meadowbrook Drive & George Dieter Dr., southwest corner
N.	8080	Zaragosa Road, 1500' northeast of Joe Battle (Loop 375)
O.	8095	Richardson Drive, 205' northwest of Tedd Floyd Lane
P.	8096	Tedd Floyd Lane and Senor Tedd Way, southeast corner
Q.	8097	Burgundy Drive, 1000' south of Escobar Drive
R.	8106	Coral Sky Lane, 450' northeast of Painted Sky Lane
S.	8128	Madtone Drive, 202' northwest of Cashew Drive (west intersection)
T.	8129	Madtone Drive, 236' northeast of Soapberry Way (south intersection)
U.	8130	Zaragosa Road, 200' west of Diamond Head Drive
V.	8139	David Ray Way and Holstein Drive, southeast corner
W.	8144	Gilded Sun Drive and Sun Spur Way, northwest corner

- X. 8148 Sun Trail Drive, 138' southeast of Sun Country Drive
- Y. 8153 Zaragosa Road, 425' west of Pali Drive

.....  
 \*Motion made, seconded and unanimously carried to approve the authorization to transfer \$1000.00 from District #7 Discretionary Funds to the Street Department for parkway structure repair at 1052 Francine, as requested by Representative Sariñana, District 7. FROM: Dept. I.D. # 01010007, Acct # 504420, Fund 01101, Class 01001 TO STREET DEPARTMENT: Dept. I.D. # 32010200, Acct #502227, Fund #01101, Location 32000.

.....  
 \*Motion made, seconded and carried that Kenneth L. Johnson be appointed Internal Auditor, effective April 3, 2002 at an annual salary of \$72,000.

.....  
 \*Motion made, seconded and carried that Irene Y. Morales be appointed Assistant Director of Office of Management and Budget (provisional), effective May 1, 2002 at an annual salary of \$78,000.

.....  
 \*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Victor Bulos, Police Officer

.....  
 \*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Deputy Court Clerk I (1)

.....  
 \*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

EPWU Construction Superintendent-Sewer (1)

.....  
 \*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Community Development

Add	1.0	Economic Program Analyst II	PM76
Delete	1.0	Contract—Professional	N/A

.....  
 \*Motion made, seconded and unanimously carried to approve the request from Martin Valenzuela of the Solid Waste Management Department for Special Sick Leave.

.....  
 \*Motion made, seconded and unanimously carried to re-appoint Bruce Hubbard to the City Employees Pension Fund Board of Trustees by Mayor Raymond C. Caballero.

.....  
 \*Motion made, seconded and unanimously carried to appoint Robert E. Shepack, Ed.D. to the Art Museum Advisory Board by Representative Sumrall.

.....  
 \*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Transamerica Tax Service, in the amount of \$1,169.72; overpayment of 2001 taxes.  
 (PID #A788-000-0030-0100)

- B. Peter Bruder, in the amount of \$2,688.11; overpayment of 2001 taxes.  
(PID #C340-999-1300-2700)
- C. First Savings Bank, in the amount of \$3,482.40; overpayment of 2001 taxes.  
(PID #C730-999-000A-1100)
- D. Jesus A. Castro Sandoval, in the amount of \$730.49; overpayment of 2001 taxes.  
(PID #C790-999-0000-1100)
- E. Ocwen Federal Bank, FSB, in the amount of \$1,386.11; overpayment of 2001 taxes.  
(PID #E222-999-1400-8500)
- F. First Savings Bank, in the amount of \$2,950.98; overpayment of 2001 taxes.  
(PID #F607-999-0400-3600)
- G. Haciendas Del Norte Estates, in the amount of \$562.09; overpayment of 2001 taxes.  
(PID #H010-000-0430-0090)
- H. Carey & Vaida Prather, in the amount of \$4,083.09; overpayment of 2001 taxes.  
(PID #H415-999-0040-1200)
- I. GMAC Mortgage Corp., in the amount of \$875.78; overpayment of 2001 taxes.  
(PID #M794-999-0880-8100)
- J. GMAC Mortgage Corp., in the amount of \$2,544.82; overpayment of 2001 taxes.  
(PID #N425-999-0410-2300)
- K. James W. Martin, in the amount of \$9,057.77; overpayment of 2001 taxes.  
(PID #S332-999-0040-0500)
- L. Stewart Title, in the amount of \$1,666.57; overpayment of 2001 taxes.  
(PID #V893-999-1670-6100)
- M. Elsa Silva, in the amount of \$513.94; overpayment of 2001 taxes.  
(PID #V893-999-5600-0700)
- N. Supro Energy Company, in the amount of \$1,452.54; overpayment of 2001 taxes.  
(PID #X035-000-0000-3070)

.....  
 \*Motion made, seconded and unanimously carried to approve Change Order No. 52 (Construction Change) to SamCorp General Contractors, Inc., for "Convention Center Expansion and Modernization" for an increased amount of \$ 2,322.00 for miscellaneous construction changes.  
 .....

\*Motion made, seconded and unanimously carried to approve Change Order No. 4 (Construction Change) to J.D. Abrams, L.P., for "Air Cargo Ramp # 4 & Extension of Taxiway K" for an increased amount of \$126,053.40. Additional Portland cement concrete unit price items are needed to complete project as designed.  
 .....

\*Motion made, seconded and unanimously carried to award Bid No. 2002-071 4-Cubic Yard High Street Sweepers

Award to:	STM Equipment, Inc. El Paso, TX
Item (s):	1 with Option O1, O2, O3, O4, O5 and O6
Amount:	\$311,888.00
Department:	Department of Aviation
Funds available:	62620003-503121
Funding source:	Airport Capital Funds
Total award:	\$311,888.00

The Department of Aviation and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid.

This is a fixed-price, single (one-time) purchase, for the purchase of two 4-Cubic Yard High-Dump Street Sweepers for the El Paso International Airport. Staff also recommends the purchase of additional options,



under Option O6 (auxiliary engine auto shutdown, heavy duty/abrasion resistant lower roller conveyor, 7 inch flashing lights (2 front and 2 rear), side broom tilt mechanism RH, side broom tilt mechanism LH, carbide dirt shoes, extended side broom reach RH, extended side broom reach LH, hopper side shift and strip main broom) at an additional total cost for two sweepers at \$13,640 to improve the productivity and lower the maintenance costs.

There was one option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within one hundred and eighty (180) days from the date of award of the contract.

Vendor does not offer a prompt pay discount.

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-452 AIRPORT  
 Transfer to cover air conditioner compressors and motors and other supplies for maintenance of the terminal and for maintenance of walkways in front of the terminal.

Increase	\$175,000	to	62620005/40101/503200	Bldg Maint
Increase	\$ 2,000	to	62620005/40101/503203	Public Maint
Increase	\$177,000	to	62620018/P50000241021/407002	Est Revenue
Increase	\$177,000	to	62620018/P50000241021/507001	Intrfd Trf Out
Increase	\$177,000	to	62620005/40101/407001	Intrfd Trf In

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-454 AIRPORT  
 Set up funding for architecture and design fees and legal notice costs for new fixed base operators ramp.

Increase	\$ 750	to	62620024/PAP001941054/502205	Legal Notice
Increase	\$640,000	to	62620024/PAP001941054/508016	Arch & Design
Increase	\$640,750	to	62620024/PAP001941054/407001	Intrafd Trf In
Increase	\$640,750	to	62620018/P50000241021/407002	Est Revenue
Increase	\$640,750	to	62620018/P50000241021/507001	Intrfd Trf Out

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-456 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$2,080	to	51159242/P51800015916133/405060	Donations
Increase	\$2,080	to	51159242/P51800015916133/508004	Pub Use Fac
Increase	\$4,161	to	51159242/P51800082516164/405060	Donations
Increase	\$4,161	to	51159242/P51800082516164/508004	Pub Use Fac
Increase	\$6,309	to	51159242/P51800084316182/405060	Donations
Increase	\$6,309	to	51159242/P51800084316182/508004	Pub Use Fac

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-457 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 7,105	to	51159242/P51800083616175/405060	Donations
Increase	\$ 7,105	to	51159242/P51800083616175/508004	Pub Use Fac

Increase	\$15,900	to	51159242/P51800082516164/405060	Donations
Increase	\$15,900	to	51159242/P51800082516164/508004	Pub Use Fac
Increase	\$ 1,500	to	51159242/P51800080816147/405060	Donations
Increase	\$ 1,500	to	51159242/P51800080816147/508004	Pub Use Fac

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-458 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 300.00	to	51159242/P51800013716111/405060	Donations
Increase	\$ 300.00	to	51159242/P51800013716111/508004	Pub Use Fac
Increase	\$5,292.50	to	51159242/P51800005316027/405060	Donations
Increase	\$5,292.50	to	51159242/P51800005316027/508004	Pub Use Fac
Increase	\$1,175.00	to	51159242/P51800015916133/405060	Donations
Increase	\$1,175.00	to	51159242/P51800015916133/508004	Pub Use Fac

.....  
 Motion made, seconded and unanimously carried to approve budget transfer BT2002-459 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 5,649	to	51159242/P51800015916133/405060	Donations
Increase	\$ 5,649	to	51159242/P51800015916133/508004	Pub Use Fac
Increase	\$10,500	to	51159242/P51800081916158/405060	Donations
Increase	\$10,500	to	51159242/P51800081916158/508004	Pub Use Fac
Increase	\$ 3,300	to	51159242/P51800007516049/405060	Donations
Increase	\$ 3,300	to	51159242/P51800007516049/508004	Pub Use Fac

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-460 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 6,144	to	51159242/P51800015916133/405060	Donations
Increase	\$ 6,144	to	51159242/P51800015916133/508004	Pub Use Fac

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-466 PARKS & RECREATION

This budget transfer establishes the appropriation for the Urban Park Recovery Program Grant for Blackie Cheshier Park. Texas Parks & Wildlife and the City match this grant.

Increase	\$500,000	to	51150063/G51020205608/406000	Fed Grt Proc
Increase	\$ 62,500	to	51150063/G51020205608/406001	St Grt Proc
Increase	\$ 62,500	to	51150063/G51020205608/406003	City Match
Increase	\$ 73,700	to	51150063/G51020205608/508001	Land Improve
Increase	\$ 6,000	to	51150063/G51020205608/508003	Bldg Improve
Increase	\$297,303	to	51150063/G51020205608/508062	Bldgs
Increase	\$ 53,880	to	51150063/G51020205608/508016	Arch Design

Increase	\$ 32,317	to	51150063/G51020205608/508026	Inspections
Increase	\$161,800	to	51150063/G51020205608/508034	Public Access

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-469 MUSEUM OF ART

To appropriate funds for the purchase of merchandise – sales to the public.

Increase	\$30,000	to	54500028/50110/404306	Sales to Pub
Increase	\$30,000	to	54500028/50110/503102	Promo Sup

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2002-470 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication Fees are paid by developers based upon City Ordinance.

Increase	\$ 7,272	to	51159242/P51800085716197/405060	Donations
Increase	\$ 7,272	to	51159242/P51800085716197/508004	Pub Use Fac
Increase	\$12,528	to	51159242/P51800085716197/405060	Donations
Increase	\$12,528	to	51159242/P51800085716197/508004	Pub Use Fac

.....  
 \*Motion made, seconded and unanimously carried to approve the request of City of El Paso Parks & Recreation Department to hold the Senior Games Bike Race on April 17, 2002 from 9:00 a.m. to 10:00 a.m. Route: Start at River Bend and Sunset; proceed on River Bend to Frontera, to dead end and back on River Bend and finish at Sunset. Approximately 25 persons will take part. PERMIT NO. 02-022

NOTE: Time of event was changed to begin at 9:00 a.m. instead of 8:00 a.m.

.....  
 \*Motion made, seconded and unanimously carried to approve the request of City of El Paso Parks & Recreation Department to hold the Senior Games Foot Race/Walk on April 28, 2002 from 7:00 a.m. to 10:00 a.m. Route: Start at Marwood Park to Sussex, to Perth, right on River Bend, left on Sunset, right on Vista Del Monte, around circle to Camino Real, to Montoya, to Meadowlark and return on same route. Approximately 25 persons and 2 vehicles will take part. PERMIT NO. 02-023

.....  
 Motion made by Representative Medina, seconded by Representative Cobos and carried to postpone two (2) weeks an Ordinance changing the zoning of Lots 31, 32, 33 and 34, Block 19, BRENTWOOD HEIGHTS, El Paso, El Paso County, Texas, (5318-5322 Gateway East Boulevard) from R-5 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicants: James Drake and Irma Crowley / Representative: Stephen Simon, 7729 Lockheed, Suite A, El Paso, TX. 79925. ZC-01065

Mr. Stephen Simon was present on behalf of the owners and explained the proposed use of the property. Representative Escobar abstained from voting.

.....  
 Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to deny an Ordinance changing the zoning of a Portion of Lots 8 and 9, Block 6, LAFAYETTE PLACE SUBDIVISION, El Paso, El Paso County, Texas (8008 North Loop Drive) from R-3 (Residential) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Alberto Lozoya / Representative: Hector Porras, Jr., 1560 Goodyear, El Paso, TX. 79936. ZC-1078 **THIS IS AN APPEAL CASE.**

Ms. Pat Aauto, Director of Planning, commented the City Plan Commission and the Development Coordinating Committee recommended against this rezoning.

Mr. Hector Porras, representing Mr. Alberto Lozoya (applicant), was present and made comments.

.....  
ORDINANCE 15069

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01009 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS ALL OF LOTS 22 AND 23, BLOCK P, HAGUE, EL PASO, EL PASO COUNTY, TEXAS (3909 PERSHING DRIVE), PURSUANT TO SECTION 20.64.175, AND THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Cobos, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: Council Member Rodriguez                      Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15070

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01022, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH REDUCED LOT WIDTHS AND SETBACKS ON TRACTS 17C79, 17C54, 17C38, 17C130, 17C155, 17C51, 17C15, 17C145, SECTION 8, BLOCK 79, TSP 3, T. & P. R. R. COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS (AN UNDEVELOPED AREA NORTH OF VISTA DEL SOL DRIVE & WEST OF JOE BATTLE BLVD.) PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Representative Rodriguez asked for clarification on the setbacks.

Ms. Pat Aauto, Director of Planning, explained the requirements of the setbacks. She also stated they had received no opposition to this rezoning.

Motion duly made by Representative Escobar, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                                      Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15071

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING THE HUMANE SOCIETY OF EL PASO TO USE A PORTION OF EASTWOOD ALBUM PARK FROM 9:00 AM UNTIL 1:00 PM ON APRIL 14, 2002**

Motion duly made by Representative Power, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
Motion made by Representative Cobos, seconded by Representative Medina and unanimously carried to postpone one (1) week an Ordinance to Amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) to eliminate the requirement for some rental security deposits and to establish a non-refundable rental agreement processing charge.  
.....

ORDINANCE 15072

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING LETITIA MORA TO USE A PORTION OF MADELINE PARK FROM 2:00 PM UNTIL 5:00 PM ON MAY 26, 2002.**

Motion duly made by Representative Escobar, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to postpone one (1) week an Ordinance providing for art in municipal places: Establishing the El Paso Public Arts Commission and describing its powers and duties; and establishing means of funding acquisition or commissioning of art for municipal places.

Representative Medina thanked Representatives Rodriguez and Escobar, Ed Drusina, and Alejandrina Drew for their participation on the Legislative Review Committee meetings. He proceeded to explain the ordinance, the composition of the El Paso Public Arts Commission, and the funding acquisition.

Representative Cook commented that this started from a trip that Representative Medina made to Philadelphia and did research on how they are able to get the wonderful statues and works of art.

Ms. Alejandrina Drew, Director of Art Resources, expressed her support on this issue.

Ms. Kenna Ramirez, Texas Commission of the Arts, expressed her support of this Ordinance and commented that the arts do support the overall economic development of the Community and attract tourism.

Representative Sariñana questioned if this will affect the bond projects. He also questioned how they came up with an eighteen member committee.

Representative Medina replied that it will not affect the bond projects.

Ms. Norma Gellar and Sally Gilbert spoke in support of the ordinance.

Mayor Caballero read a fax from Mr. Benjamin Saenz, local novelist, who expressed his support of the 2% of the capital improvements program.

A request was made to amend the ordinance so no monies from the bond election will be used as funding for this program.

Mr. Charlie McNabb, Chief Administrative Officer, suggested that the item be postponed for one week in order for the City Attorney's office to revise the wording in the Ordinance and come back with it next week with the revised precise wording.

.....  
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 2920 Frutas Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lots: N 84' of 19 & N 84' of W 4' of 18 & N 84' of E 7' of 20, Block 17, East El Paso

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Isabel R. Irrobali and Eddie Irrobali, C/O Martha Gutierrez, P. O. Box 640112, El Paso, Texas 79904, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on April 2, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and

- c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structure is not feasibly to repair.
2. That the City Council hereby orders Owners to comply with the following requirements:
- a. That the Building be demolished within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30)days; and
  - c. That a public hearing be scheduled for May 21, 2002 , in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
  - d. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
  - e. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
  - f. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with the demolition of the Building and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with demolishing the Building and clean the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
- a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Tom Maguire, Building Services, explained the case and presented the recommendations of the Department.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to accept the recommendations of the department and approve the above resolution.

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to postpone two (2) weeks the rejection of Bid 2002-082 Household Hazardous Waste Disposal Service as recommended by Purchasing and Solid Waste Management Department.

Representative Escobar commented that there are some interested parties such as Mr. Garcia that have not been able to get any answers from the Purchasing Department.

Ms. Emma Acosta, Solid Waste Management, clarified the reason for this request. She said it would be better to do incineration as a collection method instead of using landfills, because of liability issues Mr. Lawrence Garcia expressed his concerns.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to direct the Planning, Research & Development Department, through recommendations from the Development Coordinating Committee, to coordinate the Downtown Area event planning during the May 3-5, 2002 weekend.

Mr. Charlie McNabb, Chief Administrative Officer, explained that there are different processes for different uses of City property and it seems that there are a few organizations competing for the use of the same streets for the same date.

Ms. Pat Aauto, Director of Planning, explained that this action will allow them to coordinate and work with all of these groups and City Departments to avoid any problems.

\*Motion made, seconded and unanimously carried to postpone one (1) week the discussion on the City co-sponsoring El Paso Heritage Week Festival being held April 27-May 5. (Representative Power)

No action was taken on the review of 2<sup>nd</sup> quarterly report.

Mr. William Chapman, Chief Financial Officer, presented this report and expressed his concern on the revenue side from the sales tax revenue and the bridge revenues. He said we are running at about 3 to 4% under in sales tax revenue. He went on to say in regards to the bridge revenues, pedestrians seem to be coming back but we are down on vehicle crossings. He proceeded to comment that the Health Fund is doing much better and commented on the success of the Wellness Center. He said we pay a fixed cost of about \$77,000 a year and the insurance company provides the equipment and the nurse practitioner. He also stated the Civic Center Revenues have been going up slightly because of more scheduled events.



No action was taken on the discussion on the Importance of Accurate Budgets. (Anita Blair)

Ms. Anita Blair commented on the budget that the County put out to inform the community.

.....  
No action was taken on the discussion and action on street modification to eliminate nuisance ponding on Kinross and Fierro Driveway at 3132 Fierro. (George Atkins)

Mr. George Atkins, expressed his concern on the ponding and the traffic in this area. He suggested that speed bumps be placed. Mr. Atkins commented that he has not received a response from Representative Power nor anybody else in regards to this issue.

Mr. Daryl Cole, Street Department, replied that he has plans in the near future to address these specific issues. He stated the solution is to reconstruct the intersection and remove the curb on his driveway. He added that Mr. Atkins' area is in one of the projects coming up in the next twelve months.

Mr. Ted Marquez, Traffic Engineering, stated, with regard to the four way stop, that they have performed several traffic control surveys. At this point, this specific area does not meet the manual traffic control warrants. He said we can address it later to see if the conditions exist at a later point.

Representative Power and Mayor Caballero apologized for the miscommunication on not advising Mr. Atkins that they were already working on the problem.

Mayor Caballero suggested to Mr. Marquez that he advise the affected parties that they are already working on the problem and to make notifications a procedure.

.....  
No action was taken on the request for a four way stop at corner of Kinross and Fierro, which has become a very dangerous intersection with the growth on Eastside and Senior Citizens Center. (George Atkins)  
(See discussion above.)

.....  
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance to amend Title 12 (Vehicles & Traffic), to create Chapter 12.54 (Towing Regulation and Fees); Section 12.54.010 (Definitions); Section 12.54.020 (Maximum fee Schedule); Section 12.54.030 (Removal of Debris); and 12.54.040 (Penalty) to establish maximum fees that may be charged within the City for nonconsent vehicle tows and to require the removal of debris dropped from vehicles, the penalty being as provided in section 12.84.010 (Penalty) of the El Paso Municipal Code.
- B. An Ordinance granting to Paul Berube a Non-exclusive Franchise for litter receptacles on sidewalks and other city property.

**PUBLIC HEARING WILL BE HELD ON APRIL 16, 2002 FOR ITEMS A - B**

- C. An Ordinance changing the zoning of a Portion of Tract 5C9, Block 2, ASCARATE GRANT, El Paso, El Paso County, Texas (6342 Airport Road) from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: William J. Tomberlin / Representative: David Etzold, 6006 N. Mesa, Suite 110, El Paso, TX. 79912 ZC-01074 **THIS IS AN APPEAL CASE.**

- D. An Ordinance granting Special Permit No. SU-01020, to allow for a planned residential development with reduced lot widths and setbacks on Tracts 2, 3 and 5, Section 16, Block 79, TSP 3, T&PRR SURVEYS, El Paso, El Paso County, Texas (Southeast corner of Joe Battle Blvd. and Vista Del Sol Drive), pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. ZONE: R-3/A (Residential). Applicant: Gateway Estates 5 Joint Venture/ Representative: ATCON Engineering & Surveying, El Paso, TX. 79935

**PUBLIC HEARING WILL BE HELD ON APRIL 23, 2002 FOR ITEMS C - D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**ADDITION TO THE AGENDA**

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Airport Display Agreement with Horsepower, New Mexico, providing for the display of an exhibit entitled "The Trail of Painted Ponies," a public art project in New Mexico consisting of polyurethane horses transformed into works of art, at the El Paso International Airport.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and accept a grant award for a Juvenile Accountability Incentive Block Grant in the amount of \$185,325.00 from the Office of the Governor, Criminal Justice Division, for the purpose of continuing enforcement strategies to curtail underage drinking in border communities; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. Matching funds required in the amount of \$22,222.00.

That the El Paso City Council agrees in the event of loss or misuse of Criminal Justice Division Grant funds or Juvenile Accountability Incentive Block Grant funds, the funds will be returned to the Office of the Governor, CJD in full.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the Housing Authority of the City of El Paso to use a portion of their facilities for Recreational Programming, subject to the availability of personnel and funding.

\*Motion made, seconded and unanimously carried to approve the authorization to allocate One Thousand Dollars (\$1,000) of District IV Discretionary Funds to be awarded to the High School civic club or

organization that provides the greatest percentage of student manpower in the cleanup of an illegal dump site in Northeast El Paso as part of the El Paso Pride Project scheduled for April 6, 2002. (Representative Cook)

.....  
Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to send a letter to the Public Utility Commission advising that the City will be adjusting all access line rates up by 1.15%.

Chief Financial Officer Bill Chapman commented on this and responded to questions from Council members.

Ms. Rita Rodriguez, City Attorney, explained that this is only asking for authority to send a letter to the PUC adjusting all access line rate up by 1.15%.

.....  
\*Motion made, seconded and unanimously carried to delete the discussion and action regarding extending the grace period for one more year to allow "non-potentially hazardous" food vendors to connect to City Water. (Representative Cook)

.....  
\*Motion made, seconded and unanimously carried to delete the discussion and action regarding the requirement that "non-potentially hazardous" food vendors be required to connect to City Sewer Service in order to be permitted to connect to City Water Service as required by the Health Department. (Representative Cook)

.....  
Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to approve a salary increase for Associate Municipal Court judges who perform night magistrate work to \$204 per session. (Representative Escobar)

Representative Escobar stated he requested this item after discussions with the Judges. Municipal Court Clerk Richarda Momsen explained the duties of the Associate Municipal Court judges.

.....  
No action was taken on the discussion on getting City, County, and school districts once and for all to have holidays the same day instead of differed non sequenced days, a great inconvenience for the persons working for the above mentioned departments. (Leopoldo E. Sierra)

Mr. Leopoldo E. Sierra, suggested that we join forces with the County and the School Districts and join efforts for coordinating vacations.

Mr. Charlie McNabb, Chief Administrative Officer, commented that we only have nine holidays and we have fewer holidays than any other government entity. He added it is expensive for the City to have more holidays because we pay an overtime rate for 24 hour employees such as Police and Fire.

.....  
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

A. Lyssa Guy, 01-C-309 (551.071)

B. Abbas Giovanni Safdari vs. City of El Paso, EP-01-CA-0232 (551.071)

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows: NOTE: Representative Escobar and Representative Sariñana were not present for the vote.

.....  
Motion made by Representative Medina, seconded by Representative Cook and carried that the claim entitled **LYSSA GUY**; Our File No. 01-C-309 be **DENIED** as recommended by the City Attorney.

.....  
Motion made, seconded and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **ABBAS GIOVANNI SAFDARI vs. CITY OF EL PASO, et al; Cause No. EP-01-CA-0232; Our File No. 01-S-33**, as recommended by the City Attorney.

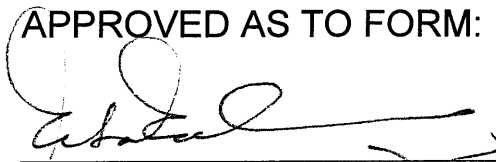
.....  
Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to adjourn this meeting at 11:55 a.m.  
.....

APPROVED AS TO CONTENT:



Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, City Attorney